

Meeting Summary – DNFSB Public Hearing on DOE Oversight (September 10, 2003)

Purpose of series of public meetings: To examine DOE's current and proposed models of safety oversight.

Purpose of first meeting: To gather information from Naval Reactors (NR) and Nuclear Regulatory Commission (NRC) personnel with direct experience in providing federal oversight for high-risk enterprises.

Next Public Meeting: October 22, 2003 – will feature NASA Accident Investigators and DOE participation.

Major Board Observations:

- DOE has three simultaneous and sometimes competing roles: (1) owner, (2) customer, & (3) regulator.
- As owner, DOE must maintain adequate technical competence, must retain and cannot delegate responsibilities.
- DOE has three main ways to communicate expectations: (1) requirements (statutes), (2) contracts, & (3) oversight.
- DOE is currently implementing or considering changes in all three of these areas simultaneously: (1) methods for specifying requirements, (2) less prescriptive contracts with greater incentives, & (3) changes to oversight methods.
- ISM program provided the right balance between safety & production; recent shifts increase emphasis on production.

Central Board Questions to be explored in this series of public meetings:

- 1) Can DOE oversight be streamlined without degrading safety?
- 2) What criteria should be used to judge the adequacy of DOE's oversight program?
- 3) What criteria should be used to judge the adequacy of DOE's contractor self-assessment programs?
- 4) What are the minimum levels of DOE safety oversight that must be maintained?

Naval Reactors (NR) – Key Outcomes from testimony:

- NR Role: central technical control, responsible for all aspects of work, determine adequacy of all technical reqmts., approve all design detail and procedures, approve and oversee contractors & vendors, oversee personnel actions and technical adequacy – in sum, a Knowledgeable and Demanding Customer
- Close, frequent technical oversight – to assure high standards of performance are met: daily on-site surveillance, review of activity self-assessments, periodic HQ reviews/audits, deviations from normal operations reported real-time
- Frequent communications between NR and field activities: to provide direction, to promptly report any problems or off-normal situations, to resolve technical issues – NR approval of waivers is extremely rare.

Nuclear Regulatory Commission (NRC) – Key Outcomes from testimony:

- NRC Role: licensing authority and independent oversight for commercial nuclear reactors. Licensees have primary responsibility for safe operation of their facilities.
- NRC recently instituted risk-informed oversight approach. New approach reached after lengthy & deliberate study. Licensees applaud new approach. Oversight considers performance indicators and the number & significance of inspection findings. Action matrix - based on risk factors - defines need for reduced or supplemental inspections.
- NRC gives licensees credit for self-assessments in lieu of NRC inspections; NRC participates on these assessments.
- NRC site resident inspectors have unfettered access 24 hours a day.

Key Aspects of NASA Culture Identified as Contributing to Columbia Accident:

(Based on a review of the accident investigation report; this will be briefed on October 22nd)

- General environment of budget pressures and budget cuts
- Significant reduction in technical workforce
- Significant transfer of operations to contractors
- Contractors give strong incentives to meet production goals
- Reduced Federal capacity to provide technical oversight
- Reduced Federal oversight
- Organizational barriers preventing prompt and effective communications